S.B.CRIMINAL REVISION PETITION NO.350/2006
(Kesu Lal Vs. State & Ors.)

Date of order : 20.8.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. M.K. Garg with
Mr. Niranjan Singh, for the petitioner.
Mr. Vishnu Kachwaha, Public Prosecutor.
Mrs. Pramila Acharya with
Mr. Anuj Sahlot, for the respondents.

Heard learned counsel for the parties.

By way of filing the present revision petition, the petitioner has prayed for quashing of order dated 27.2.2006 passed by Addl. Chief Judicial Magistrate, No.2, Udaipur whereby the learned trial court has accepted the final report filed by the police after investigation.

The controversy involved in this case has already been decided by Hon'ble Apex Court in case of ICICI Bank Ltd. Vs. Prakash Kaur reported in (2007) 2 SCC 711.

In this view of the matter, the impugned order dated 27.2.2006 passed by Addl. Chief Judicial Magistrate No.2, Udaipur is set aside and the case is remitted to trial Court with the direction that protest petition filed by the complainant may be decided afresh expeditiously after hearing both the

parties and taking into account the aforesaid judgment rendered by Hon'ble Apex Court.

Accordingly, the revision petition is disposed of.

(GOPAL KRISHAN VYAS), J .

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